

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

DOUGLAS CROSS,

Defendant.

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Case No. 8:08CR323

ORDER

This case is before the court on the defendant's Motion to Review Detention (#57). The defendant requests the court to reopen the issue of detention and allow the defendant to be released to the custody of his mother in North Platte, Nebraska.

After reviewing the August 27, 2008 Pretrial Services memorandum and the court's August 27, 2008 Detention Order (#14), I find the motion should be denied without hearing.

The proposed placement of the defendant fails to address the court's concerns regarding his prior history of drug abuse, his three prior felony drug convictions, and also fails to rebut the presumption of detention under 18 U.S.C. § 3142(e).

IT IS ORDERED the defendant's Motion to Review Detention (#57) is denied without hearing.

Dated this 18th day of December 2008.

BY THE COURT:

S/ F. A. Gossett
United States Magistrate Judge